

**CERTIFICATE OF ELECTRONIC TRANSMISSION**

I hereby certify that this correspondence for Application No. 10/626,088 is being electronically transmitted to Technology Center 2113, via EFS-WEB, on December 19, 2006.

/Scott A. Stinebruner/  
Scott A. Stinebruner, Reg. No. 38,323

December 19, 2006  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert Miller et al.	Art Unit: 2113
Application No.: 10/626,088	Examiner: Bryce P. Bonzo
Filed : July 24, 2003	
For : JOIN PROTOCOL FOR A PRIMARY-BACKUP GROUP WITH BACKUP RESOURCES IN CLUSTERED COMPUTER SYSTEM	

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL**

1. ☒ **Transmitted herewith is an Amendment After Non-Final Rejection.**
2. ☐ Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.  
☐ Enclosed is a verified statement to establish Small Entity status  
☒ **Other than a Small Entity**
3. **The fee has been calculated as shown below:**

**CALCULATION OF FEES**

Fee:	Number of Claims After Amendment:		Previously Paid For:	No. Extra:	At Rate:	Amount:
Total Claims	38	minus	38	0	\$50	\$0.00
Independent Claims	5	minus	5	0	\$200	\$0.00
MULTIPLE DEPENDENT CLAIM FEE					\$360	\$0.00
TOTAL FEE FOR CLAIMS:						\$0.00

- ☒ **No additional fee for claims is required.**

4. ☐ Attached is a check in the sum of \$\_\_\_\_\_ for additional claims.  
☐ Please charge my Deposit Account No. 23-3000 in the amount of \$\_\_\_\_\_.  
☐ Please charge Credit Card per Electronic Patent Application Fee Transmittal attached.
5. **The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply. Complete (a) or (b) as applicable.**

- ☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

	<u>Ext. Mos.</u>	<u>Large entity</u>	<u>Small entity</u>
<input type="checkbox"/>	one month	\$ 120.00	\$ 60.00
<input type="checkbox"/>	two months	\$ 450.00	\$ 225.00
<input type="checkbox"/>	three months	\$1,020.00	\$ 510.00
<input type="checkbox"/>	four months	\$1,590.00	\$ 795.00
<input type="checkbox"/>	five months	\$2,160.00	\$1,080.00

Extension fee due with this request:

\$\_\_\_\_\_

Method of Payment:

Check enclosed in the amount of \$\_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_ months has already been secured and the fee paid thereof of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$\_\_\_\_\_.  
**OR**
- ☒ (b) **Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.**
6. ☒ **If any additional fee for claims or extension of time is required, charge Account No. 23-3000.**

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

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By: /Scott A. Stinebruner/  
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Reg. No. 38,323

**Enclosed:**

Transmittal containing Certificate of Electronic Transmission (2 pages)  
Amendment After Non-Final Rejection (15 pages)